IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4793 of 2005

Between:

M/s.J.S.Reddy Cultural & Sports club, 17-1-383/SN/1/76, Anji Reddy Colony, Near Indraprastha Colony, Champapet, Hyderabad-500059, rep. by its Manager Sri S.Narsi Reddy.

..... PETITIONER

AND

1 The Sub-Inspector of police, Saidabad P.S.Hyderabad.
2 The Assistant Commissioner of police, Malakpet, Hyderabad.
3 The Deputy Commissioner of police, East Zone, Hyderabad.
4 The Assistant Commissioner of police (Task Force) O/o. Commissioner of Police, Hyderabad.
5 The Commissioner of police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly in the nature of writ of Mandamus declaring the action of the respondent in interfering with the lawful activities of the petitioner's association is illegal, arbitrary and violative of Article 14 and 19 of the Constitution and consequently direct the respondents not to interfere with the lawful activities of the petitioner's association and it's members while playing chess, caroms, playing cards with 13 card rummy/stakes (skill game), Gym etc., including the card room, by appointing an Advocate commissioner to inspect the premises of the petitioner bearing premises No.17-1-383/1/SN/Z6, Anjireddy Colony, Near Indraprastha colony, Champapet, Hyderabad, to check and verify the activities of the petitioner and to submit reports of the activities of the petitioner's club to this HOn'ble court, and to pass such other order or orders as are deemed fit and proper in the interest of justice.

Counsel for the Petitioner: MR.B.S.SHIVAJI

Counsel for the Respondents: GP FOR HOME

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

The grievance of the petitioner is that the respondents are interfering with the lawful activities of the petitioner's association and its members.

In fact, earlier, the very same petitioner filed W.P. No. 9114 of 2004 with similar set of facts. A learned judge of this Court, while allowing the writ petition followed certain observations of a Division Bench of this Court in TWIN CITIES CINEMA CULTURAL CENTRE vs. COMMISSIONER OF POLICE wherein it was observed that:

> *'The police authorities cannot obstruct the writ petitioner-club from conducting card room where the members and guests of the writ petitioner's cultural center are allowed to play the game of rummy with stakes/syndicate (thirteen card game). At the same time, we make it clear that the police is always at liberty to enter the premises and check as to whether the cultural center of the club is conducting card room where the members and guests of petitioner's cultural center are playing the game of rummy with stakes/syndicate (thirteen card game) for the purpose of verification. If they receive any intimation, the police may enter the club and verify the same and proceed further if the members and guests of writ petitioner's cultural center play other than the game of rummy with stakes/syndicate (thirteen card game). The police authorities are also at liberty to proceed with the cases, which are already registered'.*

The present complaint is that in spite of similar orders being passed

in his favour, the respondents are again interfering with the activities of the petitioner's club and the dignity and decency of the club and its members is on great peril.

Under those circumstances, I deem it appropriate to appoint an Advocate Commissioner to visit the club and to assess the situation prevailing over there and also to know whether the respondent officials are causing any obstacles in any way.

Therefore, Sri C. Rama Subba Reddy-Advocate No. 8425 is appointed as an Advocate Commissioner to visit the petitioners' club every day or as and when required by the petitioner or by the respondent and supervise if there is any violation by either of the parties and shall bring the same to the notice of this Court. This order is for a period of six months. His fee, to be paid by the petitioner, is fixed at Rs.5,000/- per month.

With the above directions, the writ petition is closed. No costs.

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kvsn 14-03-2005

To

1 The Sub-Inspector of police, Saidabad P.S.Hyderabad.

2 The Assistant Commissioner of police, Malakpet, Hyderabad.

3 The Deputy Commissioner of police, East Zone, Hyderabad.

4 The Assistant Commissioner of police (Task Force) O/o. Commissioner of Police, Hyderabad.

5 The Commissioner of police, Hyderabad.

6 Two CCs to GP for Home, High Court buildings, Hyderabad.

7 Two CD copies.